

MINUTES
Regular Meeting of the College Park City Council
Tuesday, September 25, 2012
7:34 p.m. – 8:53 p.m.

PRESENT: Mayor Fellows; Councilmembers Kabir, Wojahn, Catlin, Dennis, Stullich, Day, and Mitchell.

ABSENT: Councilmember Afzali

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Chantal Cotton, Assistant to the City Manager; Bob Ryan, Director of Public Services; Terry Schum, Director of Planning.

Mayor Fellows opened the meeting at 7:34 p.m. following an earlier Executive Session. Councilmember Mitchell led the pledge of allegiance.

Minutes: A motion was made by Councilmember Wojahn and seconded by Councilmember Stullich to approve the minutes of the Special Session on September 4, 2012; the Regular meeting on September 11, 2012; and the Public Hearings on September 11, 2012 on 12-O-07 and 12-CR-01. The motion passed 7 – 0 – 0.

Announcements: Councilmember Kabir reminded everyone of the October 2 Public Hearing on the Greenbelt Sector Plan to be held at the County Administration Building. There will be a shuttle bus for College Park residents.

Councilmember Wojahn said on Thursday the CBE will host a screening of the film “Unwasted” about the importance of reducing waste.

Councilmember Dennis said the 7th Day Adventist Brazilian Church will hold their annual Brazilian Festival on Saturday.

Councilmember Mitchell attended a meeting at which the County’s new permitting process was unveiled. She will distribute a copy of the PowerPoint.

Acknowledgement of Dignitaries: Mayor Fellows acknowledged former Councilmembers Christine Nagle and John Krouse.

Amendments to the Agenda: Councilmember Kabir asked to move 12-G-102 from the Consent Agenda to Action Items.

City Manager’s Report: Mr. Nagro announced that everyone is invited to Azteca Restaurant’s one year anniversary celebration on Saturday night. The deadline for early bird registration for the NLC conference is Friday. Next week’s Council Worksession will be held on Wednesday night instead of Tuesday to allow Councilmembers to attend the County’s public hearing on the

Greenbelt Sector Plan. The Public Works yard will be open on Saturdays October 13 and 20 for the fall clean-up. Shredding will be offered on October 13.

Comments from the Audience on Non-Agenda Items:

David Dorsch, 4607 Calvert Road: He complained about the bad traffic situation on Route 1 due to the roadwork and poor signalization just north of Paint Branch Parkway. One of the lights should be eliminated and one of the streets should be made one way. Can the City do anything?

Consent Agenda:

A motion was made by Councilmember Day and seconded by Councilmember Mitchell to adopt the consent agenda, which consisted of the following items:

- 12-G-101 Authorization For The City To Participate In The Prince George's County Stormwater Restoration Program And Authorization For The City Manager To Sign The Associated Paperwork.**
- 12-G-104 Approval Of A Letter To Acting Maryland Transportation Secretary Darrell B. Mobley With The City's Comments On The Draft CTP For 2013 – 2018.**

The motion passed 7 – 0 – 0.

Action Items:

- 12-G-103 Approval of a City position on the Preliminary Greenbelt Metro Area and MD 193 Corridor Sector Plan and Proposed Sectional Map Amendment**

A motion was made by Councilmember Wojahn and seconded by Councilmember Catlin to approve the City's comments on the Preliminary Greenbelt Metro Area and MD 193 Corridor Sector Plan and Proposed Sectional Map Amendment as written testimony for the Joint Public Hearing to be held on Tuesday, October 2, 2012 at 7:00 pm at the County Administration Building. Councilmember Wojahn read the comments.

Comments from the audience:

Christine Nagle, 9506 52nd Avenue: She recommended adding a comment under Transportation recommendation #3 about reconstruction of the stairs to include adding bicycle and handicap access. She appreciates that there was recognition of the comments made by residents about Huron Street, but the comment about the School Board property does not help because that premises address is Huron Street, and if that is taken into consideration during the feasibility study, the bridge might end up on Huron Street. Remove the reference to the School Board property. She prefers saying "the industrial property or further south."

Councilmember Kabir asked if she would be comfortable with the language "south of the Board of Education property." Ms. Nagle said that was an acceptable compromise.

John Krouse, 9709 53rd Avenue, President, North College Park Citizens Association: The City's comments are closely aligned with the NCPCA comments. He is concerned about the proposed 20 story building height, the Narragansett run, the vernal pool area, the wetland mitigation area, the road alignment, the beltway alignment. His neighborhood was handicapped because the project was primarily oriented from the Greenbelt side; his neighborhood was drawn into the sector boundaries late in the game so now they have to ask for everything. There are techniques that can be used to mitigate reflection of noise and light which should be called out in the plan. If the Conceptual Site Plan has changed then we should go back to the 2001 Sector Plan where everyone agreed on the vision. There was discussion about the step back provision: there was broad approval of the 2001 step back concept where the tallest buildings are in the center of the property.

Amendment #1:

A motion was made by Councilmember Kabir and seconded by Councilmember Wojahn to amend the comments as follows: under Transportation Recommendation #1, add: "Consideration should be given to an area south of the Board of Education Property."

Comments from the audience on amendment #1:

Christine Nagle: In favor of the proposed amendment

Ms. Schum said staff doesn't have a problem with the proposed amendment language. Locating a bridge on the Board of Education property should be done in conjunction with development at that location. The Public Works yard and the north end of Stone Industrial are both problematic locations. This language defers the bridge to be studied a later date.

Councilmember Wojahn understands this is a divisive issue in the community but doesn't want to foreclose an option that should be considered – he wants to keep all options on the table.

Councilmember Stullich raised the possibility of an underpass instead of an overpass.

Amendment #1 passed 4 – 3 – 0 (Wojahn, Dennis and Stullich opposed).

Amendment #2:

A motion was made by Councilmember Wojahn and seconded by Councilmember Stullich to amend the comments under Transportation as follows: a) revise language to add "overpass or underpass" and b) revise language in #3 to add "reconstruction of the existing stairs and a bicycle and wheelchair accessible ramp near Branchville Road...."

Comments from the audience on amendment #2:

Ms. Nagle: Is in favor of this amendment.

Mr. Krouse: Is in favor of the amendment but believes problems with the topography would preclude an underpass.

Amendment #2 passed 7 – 0 – 0.

The final motion as amended now reads:

North Core of Greenbelt Station

Comment: The development approved in Conceptual Site Plan CSP-01008/01 is not a realistic proposal for this site and should not be promoted. A more realistic development program should be considered that recognizes the lack of market for speculative office space and destination retail. The focus should be on a mix of housing types that take advantage of Green Line access to Washington DC and limited neighborhood-oriented retail to support residents and commuters. An employment campus for a GSA tenant or other major employer is probably the more practical option but should be integrated to the extent possible with surrounding mixed-use development.

Recommendation:

1. The illustrative drawings on page 93 should be revised to (a) reflect a smaller mixed-use community with a range of housing types, smaller blocks and fewer large parking garages; and (b) a major employment campus that is better connected to adjacent development.
2. Consideration should be given to locating one or more parking garages along the Beltway to serve as a noise buffer and provide convenient access for commuters.
3. Strategy 2.2 on page 94 should be changed to require LEED Silver or equivalent certification for buildings in the north core to be consistent with the language used in the Environmental Infrastructure section and the DDOZ standards.
4. Add a strategy to Policy 3 on page 94 to require mitigation of reflected noise and light impacts of proposed development on North College Park.

Indian Creek Stream Valley

Comment: The City supports the rezoning of this property to Reserved-Open Space (R-O-S) but is not clear why the Plan places the stream valley in the Development District Overlay Zone (DDOZ) when no development is proposed for the area and no specific standards for the stream valley are included in the Development District Standards. The City also opposes any realignment or reengineering of Narragansett Run between the train tracks and its confluence with Indian Creek.

Recommendation:

1. Remove the Indian Creek Stream Valley from the DDOZ.
2. Add a bubble to Map 15: Proposed Land Use on page 87 along Cherrywood Land to indicate that wetlands shall be preserved.

University Boulevard (MD 193) Corridor

Recommendation:

1. Public sector reinvestment in the reconstruction of the corridor to improve safety and build pedestrian and bicycle facilities should extend to Route 1 in College Park to facilitate connectivity between College Park and Greenbelt.

Transportation

Pedestrians and Bicycles

Comment: Strategy 2.5 on page 120 calls for a pedestrian overpass linking the Greenbelt Metro Station area to North College Park in the vicinity of Huron Street even though there is significant neighborhood opposition to the bridge at this location as well as practical difficulties for construction. An alternative location should be sought.

Recommendation:

1. Revise Strategy 2.5 on page 120 to include conducting a feasibility study for locating and financing a pedestrian/bicycle overpass or underpass in a location other than Huron Street. Consideration should be given to locations that are south of the Board of Education property to Branchville Road.
2. Add the pedestrian/bicycle overpass/underpass to Table 29 on page 122.
3. Consider reconstruction of the existing stairs near Branchville Road east and west of the train tracks to restore pedestrian access to Greenbelt Road and include improvements that will make this area accessible for bicycles and compliant with the Americans with Disabilities Act.

Transit and Roadways

Comment: It is not clear why the Plan is deviating from the existing planned location and design of the beltway ramps. This project has been approved by the State Highway Administration (SHA) and the Federal Highway Administration and can enter the Final Design phase if funding is identified. It is not known if SHA supports this recommendation.

Recommendation:

Retain the approved design for the I-95/I-495 Greenbelt Metro Access Improvement Project.

1. Revise Map 19 on page 131 to show the recommended eastern alignment of the Greenbelt Station Parkway.

Housing and Neighborhood Preservation

Comment: The single-family neighborhood of North College Park is the closest existing neighborhood to the Greenbelt Metro Station and will be the most affected by new development in the north and south core areas of Greenbelt Station. The 2001 Greenbelt Metro Area Sector Plan included the portion of the neighborhood between Rhode Island Avenue and the train tracks within the plan boundaries and included policies and strategies for neighborhood preservation. The current plan does not adequately address the longstanding concerns of North College Park residents related to runoff from impervious surfaces, groundwater impacts and potential flooding.

Recommendation:

1. Add a new strategy to policy 1 on page 145 to implement sector plan recommendations for environmental infrastructure and sustainability to ensure against negative impacts from inadequate stormwater management controls.

Development District Standards

Building Form – North Core

Comment: The City opposes allowing 20-story buildings to be constructed in the North Core under any circumstances because of the negative impact on the North College Park community. Whether the market will support additional height is not a relevant consideration. Limiting a major employer's lot coverage to 25% will only serve to drive the height of buildings up unnecessarily.

Recommendation:

1. The maximum building height in the North Core shall be limited to 12 stories without exception (delete bullet 3 on page 203).
2. Building height shall be defined in feet as well as stories and shall be measured from the lowest ground level elevation (street grade) on a site to address changes in topography.

3. The height transition diagrams should be revised to show the following: a) the required setback from the train tracks; b) a 4- to 8-story height zone measured 250 feet from the required setback from the train tracks; c) a 4- to 12-story height zone requiring a building stepback after 8 stories.
4. Eliminate the 25% lot coverage maximum for a major employer or GSA campus.
5. Clarify the parking placement diagram on page 204 or remove it from the Plan.

Building Form – Step-back Transitions

Comment: The intent and application of this standard needs to be clarified especially the location of the existing residential neighborhoods that are being addressed. Paragraph 3 on page 214 is particularly confusing.

Recommendation:

1. Revise this standard to further clarify both where and how it is required to be implemented.

Building Form – Structured Parking

Comment: It is not clear whether parking garages need to comply with the building height standards and how close they may be located to the train tracks.

Recommendation:

1. Consider placing a specific height limit on the size of above-ground parking structures both public and private.

Architectural Elements – Materials

Recommendation:

1. Add a standard to page 227 that calls for development facing North College Park to minimize the use of building materials that will reflect noise and light into the community.

The amended motion passed 7 – 0 – 0.

12-R-18 Resolution establishing the Neighborhood Stabilization and Quality of Life Workgroup

A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell that Resolution 12-R-18 establishing the Neighborhood Stabilization and Quality of Life Workgroup be adopted.

Councilmember Wojahn explained that this Resolution is based on Resolution 12-R-14 that suspended the enforcement of Rent Stabilization for one year. It establishes a Workgroup to address concerns about the prevalence of rental houses in our neighborhoods and the ensuing quality of life issues. It includes a diversity of representatives to work together to hash out some solutions to bring back to Council. Individual task forces will be determined by the Workgroup. There is a requirement to report back to Council at least every two months and to have at least two public hearings.

There were no comments from the audience.

Councilmember Wojahn asked to remove the requirement that the two University of Maryland representatives be from the Offices of Administrative Affairs and Academic Affairs.
Councilmember Mitchell concurred.

The motion passed 7 – 0 – 0.

12-G-102 Approval of the 2013 state legislative priorities for the City of College Park which include requests for the following: an extension by 2 years to the 2006 state bond bill for the design, construction, and engineering of the new City Hall; funding to support the University District Vision 2020; local control over the ability to decide whether alcohol sales can occur within a certain distance of a school; and additional beer and light wine licenses for College Park specifically for use by grocery stores.

A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to approve the 2013 legislative agenda.

Councilmember Wojahn wants beer and light wine licenses for use by College Park grocery stores to be available to more than one specific store.

Councilmember Kabir is concerned about the contradiction between concern about underage drinking and expansion of liquor licenses, so he will abstain from the vote.

Councilmember Stullich does not think that allowing grocery stores to sell beer and wine as a way to attract a potentially high-end grocery store to downtown will encourage underage drinking.

Councilmember Day said this is desperately needed to revitalize the downtown area.

Councilmember Catlin asked how the Yes Organic Market in Hyattsville is allowed to sell beer and light wine. Staff will check into this.

The motion passed 6 – 0 – 1 (Kabir abstained).

12-G-105 Appointments To Boards and Committees

A motion was made by Councilmember Day and seconded by Councilmember Wojahn to reappoint Alan Stillwell to the Noise Control Board, appoint Ben Bassett as a business representative to the Sustainable Maryland Certified Green Team, and to make the following new appointments to the Neighborhood Stabilization and Quality of Life Workgroup: Dr. Andrea Goodwin, Josh Ratner, Samantha Zwerling, Jackie Garrett and Richard Biffel. The motion passed 7 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Wojahn said he will miss the next meeting due to vacation.

Mayor Fellows displayed the shirt he received from Morgantown Mayor Jim Manilla in recognition of the West Virginia University Mountaineers victory over the Maryland Terrapins in Saturday's football game.

Adjourn: Mayor Fellows announced that the Council would meet in an Administrative Function session at the conclusion of the meeting and would not return to public session. A motion was made by Councilmember Dennis and seconded by Councilmember Kabir to adjourn the meeting. The motion passed 7 – 0 – 0 and Mayor Fellows adjourned the meeting at 8:53 p.m.

Janeen S. Miller, CMC	Date
City Clerk	Approved

Pursuant to §C6-3 of the College Park City Charter, at 7:04 p.m. on September 25, 2012 in the Council Chambers of City Hall, a motion was made by Councilmember Kabir and seconded by Councilmember Dennis to enter into an Executive Session for the following reasons:

G: To Consult with Counsel on a legal matter

The motion passed 5 – 0 – 0.

Present: Mayor Fellows; Councilmembers Kabir, Wojahn (arrived at 7:07 p.m.), Dennis, Catlin, Stullich, Day and Mitchell (arrived at 7:26 p.m.).

Absent: Councilmember Afzali.

Also Present: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Chantal Cotton, Assistant to the City Manager; Terry Schum, Director of Planning; Michael Stiefvater, Economic Development Coordinator.

Topics Discussed: The City Attorney advised the City Council about the proposed revitalization tax credit policy and the Planning Board hearing on the Maryland Book Exchange property.

Actions Taken: None.

Adjourn: A motion was made by Councilmember Dennis and seconded by Councilmember Mitchell to adjourn the Executive Session, and with a vote of 7 – 0 – 0, Mayor Fellows adjourned the Executive Session at 7:34 p.m.

Pursuant to §10-503 of the State Government Article of the Annotated Code of Maryland, the College Park City Council met in administrative function session on September 25, 2012 from 9:00 – 9:09 p.m. in the Council Chambers at College Park City Hall. The meeting was not open to the public.

Present: Mayor Fellows, Councilmembers Kabir, Wojahn, Dennis, Catlin, Stullich, Day and Mitchell.

Topics Discussed:

- 1) The City Manager reported on the manner in which holiday leave will be allocated for employees during the Christmas holidays and how basic City services will be provided during that time.
 - 2) The Planning Director provided a copy of the new forms that the Council will be using as part of the new certification of non-conforming use procedure.
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